Remarks

Reconsideration of the present patent application is respectfully requested. Claims 1, 4, 5, 8-10, 13-15, and 18-20 are rejected under 35 U.S.C. Section 102(b) as been anticipated by U.S. Patent No. 5,884,075 to Hester et al. (hereinafter "Hester"). Claims 2, 3, 6, 7, 11, 12, 16 and 17 stand rejected under 35 U.S.C. Section 103(a) as being unpatentable over Hester in view of Applicants admitted prior art. Claims 8-12 stand rejected under 35 U.S.C. Section 101.

Independent claims 1, 8, 13, and 18 have been amended to more clearly describe the claimed invention. In particular, these claims now recite:

> "read[ing] the state of a flag indicative of a user-selected compatibility mode requiring at least partial reallocation of resources *based on a fixed assignment of resources required by a legacy operating system"* (emphasis added).

It is respectfully submitted that none of the cited references to teach or suggest such a limitation.

Hester is directed to resolving device conflicts "by attempting to fit the new/unconfigured device into the system resources and if a non-conflicting configuration is available from the acceptable configurations for the new/unconfigured device, setting the configuration of the new/unconfigured device to the non-conflicting configuration" (col. 3, lines 41-47). If a non-conflicting configuration cannot be located, then one of the existing devices are requested "to select another configuration from its acceptable configurations until a non-conflicting configuration is available for the first device" (col. 3, lines 47-51). If the configuration of existing devices cannot be made "to fit the new device, a failure occurs" (col. 3, lines 51-53). In this manner, "the devices communicate amongst themselves to automatically arrive at an acceptable configuration for all devices" (col. 3, lines 53-55).

The Office Action relies on Hester's incorporation of U.S. Patent No. 5,450,570 to Richek et al. for teaching the limitation of reading the state of a flag indicative of a user-

selected compatibility mode requiring at least a partial reallocation of resources. In this regard, the Office Action notes that Hester and Richek disclose pressing F10 upon a POST sequence, which necessarily results in a setting of a flag indicative of a mode that enters a user-selected compatibility mode. Nevertheless, Hester and Richek fail to teach or suggest reading "a flag indicative of a user-selected compatibility mode requiring at least partial reallocation of resources *based on a fixed assignment of resources required by a legacy operating system*" (emphasis added). Hence, it is respectfully submitted that the claims are now patentable.

New claim 21 has been drafted with consideration of the references of record and is respectfully submitted to be patentable at least for the reason that it includes:

"reading the state of a flag indicative of a user-selected compatibility mode requiring at least partial reallocation of serial and/or parallel ATA resources based on a fixed assignment of serial and/or parallel ATA resources required by a legacy operating system."

CONCLUSION

Based on the foregoing amendments and remarks, the Applicants believe that all of the claims in this case are now in a condition for allowance and an indication to that effect is earnestly solicited. Furthermore, if the Examiner believes that additional discussions or information might advance the prosecution of this case, the Examiner should feel free to contact the undersigned at the telephone number indicated below.

Respectfully submitted,

Nenad Pejic (Reg. No. 37,415)
Calfee, Halter & Griswold, LLP
(216) 622-8835